

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MERIT CAPITAL GROUP, LLC,

Plaintiff,

**AFFIDAVIT OF SERVICE**

-against-

TRIO INDUSTRIES MANAGEMENT, LLC,  
TRIO INDUSTRIES HOLDINGS, LLC,  
EVAN R. DANIELS, and ROBERT E. GYEMANT,

Case No. 04 Civ. 7690 (RCC)

Defendants.

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TRIO INDUSTRIES MANAGEMENT, LLC,  
TRIO INDUSTRIES HOLDINGS, LLC, and  
EVAN R. DANIELS,

Third Party Plaintiffs,

-against-

HARVEY M. BLOCH, ALFRED SALAZAR  
and THOMAS J. MANCUSO,

Third Party Defendants.

-----X  
STATE OF NEW YORK )

ss.:

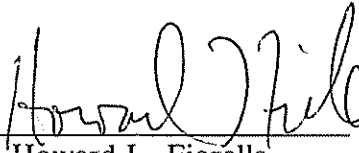
COUNTY OF NEW YORK)

Howard L. Fiorella, being duly sworn, deposes and says:


I am not a party to the within action, am over 18 years of age, and reside in New York.

On October 31, 2006, I served a true copy of the Plaintiffs' and Third-Party Defendants' Reply to Counterclaims and Third Party Claims, dated October 31, 2006, on Evan R. Daniels, Defendant *Pro Se*, 11420 Chaucer Drive, Frisco, Texas 75035, and David Frydman, Esq., Frydman, LLC, Attorneys for Defendants Trio Industries Management, LLC,

Trio Industries Holdings, LLC and Robert E. Gyemant, 18 East 48<sup>th</sup> Street, 10<sup>th</sup> Floor, New York,  
New York 10017, by regular, first-class mail delivery.

  
Howard L. Fiorella

Sworn to before me this  
31<sup>st</sup> day of October, 2006

  
Notary Public

RONA KARS  
Notary Public, State of New York  
No. 31-4719009  
Qualified in New York County  
Commission Expires Nov. 30, 2010